

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

GLORIA JOHNSON, AS TRUSTEE OF THE  
NINA J. CUMMINGS REVOCABLE  
LIVING TRUT, DATED FEBRUARY 11,  
2013, AS AMENDED,

Plaintiff(s),

v.

WELLS FARGO BANK, N.A.,

Defendant(s).

Case No. 2:22-CV-196 JCM (EJY)

ORDER

Presently before the court is Magistrate Judge Elayna Youchah's report and recommendation ("R&R") to grant defendant's motion to dismiss, grant plaintiff's counter-motion to amend the complaint, and deny plaintiff's motion to allow time for discovery. (ECF No. 14).

This court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects to a magistrate judge's report and recommendation, then the court is required to "make a *de novo* determination of those portions of the [report and recommendation] to which objection is made." *Id.*

Where a party fails to object, however, the court is not required to conduct "any review at all...of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge's report and recommendation where no objections have been filed. *See United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the

1 standard of review employed by the district court when reviewing a report and  
2 recommendation to which no objections were made).

3 No objections were filed to the R&R in this case and the deadline to do so has passed.  
4 Thus, the court is not obligated to conduct a *de novo* review of the R&R and hereby  
5 ADOPTS the magistrate judge's findings.

6 Further, Judge Youchah granted plaintiffs an opportunity to file a proposed amended  
7 complaint within twenty-one (21) days of the date of the R&R, absent a filed objection. The  
8 R&R was issued on May 20, 2022, no objections were filed, and the deadline to file such an  
9 amended complaint expired on June 10, 2022. Consequently, this case is now closed.

10 Accordingly,

11 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Judge Youchah's  
12 R&R (ECF No. 90) be, and the same hereby is, ACCEPTED in its entirety.

13 The clerk is hereby instructed to close this case.

14 DATED June 13, 2022.

15   
16 UNITED STATES DISTRICT JUDGE